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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,646	09/15/2003	Meng Shi	117148	8013
25944	7590	09/04/2007		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER TRAN, NGHI V	
			ART UNIT 2151	PAPER NUMBER
			MAIL DATE 09/04/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/661,646

Applicant(s)

SHI, MENG

Examiner

Nghi V. Tran

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to the amendment filed on June 25, 2007. Claims 1 and 4 have been amended. No claims have been canceled. No claims have been added. Therefore, claims 1-6 are presented for further examination.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 25, 2007 has been entered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuroda, U.S. Patent No. 6,804,020 (hereinafter Kuroda), in view of Nishikata et al., United States Patent Number 6,747,751 (hereinafter Nishikata).

5. With respect to claims 1 and 4, Kuroda teaches a cooperative processing apparatus [i.e. cooperating device **301**, see abstract and figs.1-3] comprising:

- a sending and receiving unit [i.e. to cause cooperating operation with other devices connected to the LAN **212** of fig.2] for sending and receiving cooperation information to be used for executing a flow of services on document data in a cooperative manner and a processing result of a service to and from other cooperative processing apparatus [i.e. external cooperating device, col.62-65] [col.6, lns.50-61 and col.7, lns.25-55];
- a service processing unit for performing a prescribed service on the basis of the cooperation information [i.e. parameters for cooperation of fig.5 and fig.9]; and
- a control unit [i.e. cooperating means, col.12, lns.51-67] for performing:
 - a first control of controlling, when receiving cooperation information, the service processing unit so that it performs the service on the basis of the cooperation information [col.7, lns.25-43];
 - a second control of sending, to a transmission source apparatus of the cooperation information, a processing result indicating whether the service processing unit has performed the service normally or

abnormally [i.e. determination as to whether or not cooperation is possible, S608 and col.8, Ins.1-2 and notification of cause of trouble upon cooperation such as "OK" or "NG", 902 of fig.19 and col.11, Ins.46-64], and, if the service processing unit has performed the service normally [i.e. when cooperation is possible, col.8, Ins.4-7], copying the cooperation information and controlling the sending and receiving unit so that it sends one piece of cooperation information to a cooperative processing apparatus that is to perform a next service on the basis of the cooperation information [i.e. when cooperation is possible, a determination is again made as to all-store or sheet-by-sheet, step S609, col.8, Ins.4-11];

- a third control of controlling the sending and receiving unit so that if an abnormality occurs in the next cooperative processing apparatus after the next cooperative processing apparatus receives the cooperation information [= when the printer failed to complete proper printing, another attempt is made to perform printing, col.8, Ins.12-28].

However, Kuroda does not explicitly show the sending and receiving unit sends a copy of the cooperation information to a substitute cooperative processing apparatus capable of performing a substitute service for the next service.

In an image apparatus, Nishikata discloses the sending and receiving unit sends a copy of the cooperation information to a substitute cooperative processing apparatus capable of performing a substitute service for the next service [col.17, ll.4-53].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Kuroda in view of Nishikata by sending and receiving unit sends a copy of the cooperation information to a substitute cooperative processing apparatus capable of performing a substitute service for the next service because the confusion of the copy job in which the abnormality occurs with the other copy jobs can be prevented [Nishikata, col.17, ll.38-40]. It is for this reason that one of ordinary skill in the art at the time of the invention would have been motivated to combine Kuroda and Nishikata so that efficiency in the copy job process can be remarkably improved [col.17, ll.52-53].

6. With respect to claims 2 and 5, Kuroda further teaches wherein in the third control the control unit judges that an abnormality has occurred in the cooperative processing apparatus in performing the next service after receiving the cooperation information [i.e. after the step cooperation permitted, **S608**] if a processing result of the next service received from the cooperative processing apparatus for performing the next service indicates occurrence of an abnormality [i.e. when the printer failed to complete proper printing, another attempt is made to perform printing, col.8, lns.12-28] or if no processing result of the next service is received in a prescribed period of time from the cooperative processing apparatus for performing the next service.

7. With respect to claims 3 and 6, Kuroda further teaches wherein in the third control the control unit suspends the flow and controls [i.e. disconnect] the sending and

receiving unit so that it sends a processing result indicating occurrence of an abnormality to a cooperative processing apparatus that sent the cooperative information first if no processing result of the next service [i.e. when cooperation is impossible, a notice to that effect is given, and waiting for disconnection, step **S704**] or the substitute service for the next service is received within a predetermined processing period of time or if there exists no cooperative processing apparatus capable of performing a substitute service for the next service.

Response to Arguments

8. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi V. Tran whose telephone number is (571) 272-4067. The examiner can normally be reached on Monday-Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Wallace can be reached on (571) 272-3440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2151

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi Tran
Patent Examiner
Art Unit 2151

August 20, 2007



VALENCIA MARTIN-WALLACE
PRIMARY EXAMINER